

12-15-03

1644

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Avi ASHKENAZI, et al.

Application Serial No. 09/902,713

Filed: July 10, 2001

For: **ANTIBODIES TO PRO269  
POLYPEPTIDES**

Examiner: Roark, Jessica H.

Art Unit: 1644

Attorney's Docket No. 39780-1618 P2C34

**Customer No. 35489****EXPRESS MAIL LABEL NO. EL 992 479 770 US**

Date Mailed: December 12, 2003

**SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. §1.97**

Commissioner for Patents  
PO Box 1450  
Alexandria, Virginia 22313-1450

Sir:

Listed below or on an attached Supplemental Form PTO-1449 is information known to applicant(s). A copy of each listed publication and U.S. and foreign patent, except for pending U.S. applications, is being submitted herewith, along with a concise explanation of information in a foreign language, if any, pursuant to 37 C.F.R. §1.97-1.98.

Applicants respectfully request that the listed information be considered by the Examiner and be made of record in the above-identified application. If form Supplemental PTO-1449 is enclosed, the Examiner is requested to initial and return it in accordance with MPEP §609.

This statement is not intended to represent that a search has been made or that the information cited in the statement is, or is considered to be, material to patentability as defined in §1.56.

☒ This statement qualifies under 37 C.F.R. §1.97, subsection (b) because (check all that apply):

- ☐ (1) It is being filed within 3 months of the application filing date and is other than a continued prosecution application under § 1.53(d)  
-- OR --
- ☐ (2) It is being filed within 3 months of entry of a national stage  
-- OR --
- ☐ (3) It is being filed before the mail date of the first Office Action on the merits  
-- OR --
- ☒ (4) It is being filed before the mailing of a first Office Action after the filing of a request for continued examination under § 1.114.

☐ 37 C.F.R. §1.97(c). If this statement is being filed after the latest of: (1) three months beyond the filing date of a national application; (2) three months beyond the date of entry of the national stage as set forth in §1.491 in an international application; or (3) the mailing date of a first Office action on the merits, but before the mailing date of the earlier of a final office action under §1.113 or a notice of allowance under §1.311, then:

- ☐ a certification as specified in §1.97(e) is provided below; or
- ☐ a fee of \$180.00 as set forth in §1.17(p) is authorized below, enclosed, or included with the payment of other papers filed together with this statement.

☐ 37 C.F.R. §1.97(d). If this statement is being filed after the mailing date of the earlier of a final office action under §1.113 or a notice of allowance under §1.311, but before payment of the issue fee, then:

- A. a certification as specified in §1.97(e) is completed below; and
- B. a petition under 37 C.F.R. §1.97(d) requesting consideration of this statement is submitted herewith; and
- C. a fee of \$130.00 as set forth in §1.17(i)(1) is authorized below, enclosed, or included with the payment of other papers filed together with this statement.

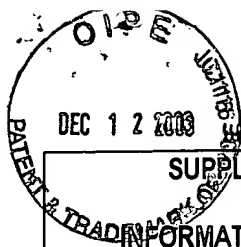
☒ **Fee Authorization.** The Commissioner is hereby authorized to charge the above-referenced fees of \$0.00 and charge any additional fees or credit any overpayment associated with this communication to Deposit Account No. **08-1641 (Attorney's Docket No. 39780-1618P2C34)**.

Respectfully submitted,

By: Leslie A. Mooi  
Leslie A. Mooi (Reg. No. 37,047)

Dated: December 12, 2003

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**Customer No. 35489**



<b>SUPPLEMENTAL FORM PTO-1449</b> <b>INFORMATION DISCLOSURE STATEMENT</b>  (use several sheets if necessary)	Attorney's Docket No. 39780-1618 P2C34	Application Serial No. 09/902,713
	Applicant(s) <b>Avi ASHKENAZI, et al.</b>	
Filing Date: July 10, 2001		Group Art Unit: 1644

**U.S. PATENT DOCUMENTS**

Examiner Initials	Ref. No.	Date	Document No.	Name	Class	Subclass	Filing Date (if appropriate)

**FOREIGN PATENT DOCUMENTS**

Examiner Initials	Ref. No.	Date	Document No.	Name	Class	Subclass	Translation	
							YES	NO
	1.	4/11/73	1313412	Ota, Isao				

**OTHER DOCUMENTS**

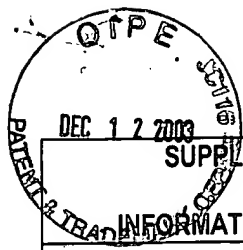
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Examiner Initials	Ref. No.	Title
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	3.	Dayoff, P_ABU54363, US2002132240-A1 (19-SEP-2002)
	4.	Dayoff, P_ABU64515, US2002160374-A1 (31-OCT-2002)
	5.	Dayoff, PABU59828, US2003017563-A1 (23-JAN-2003)
	6.	Dayoff, P_ABU67361, US2003023054-A1 (30-JAN-2003)
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	8.	Dayoff, P_ABU66747, US2003036180-A1 (20-FEB-2003)
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	30.	Dayoff, CAC51170, Kateo, S. WO 0149728-A (12-JUL-2001)
	31.	Dayoff, NP_778230 Li, "Full Length cDNA Libraries and Normalization"

**EXAMINER:****DATE CONSIDERED:**

EXAMINER: Initial if citation considered, whether or not the citation conforms with MPEP 609. Draw a line through the citation if not in conformance and not considered. Include a copy of this form with next communication to applicant.

\*If an asterisk is placed beside the reference number, a copy is not provided because the reference was previously cited by or submitted to the PTO in a prior application that is identical in the statement and relied upon for an earlier filing date under 35 U.S.C. §120. 37 C.F.R. §1.98 (d).



SUPPLEMENTAL FORM PTO-1449

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Applicant(s)

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(use several sheets if necessary)

## OTHER DOCUMENTS

(including author, title, date, pertinent pages, etc.)

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33.	Dayoff, P_ABP43556, WO200231111-A2 (18-APR-2002)
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37.	GenBank, P_ACA58974, US2002146709-A1 (10-OCT-2002)
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